

**Amendment to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Presently amended) A device for cutting or coagulating tissue, said device comprising:
  - an elongate member having a distal end;
  - a right foot member having an upper surface and a lower surface and a left foot member having an upper surface and a lower surface, the right and left foot members extending angularly from the distal end of the elongate member and to one side of the elongate member such that an open space exists between the right and left foot members;
  - an electrically and thermally insulating covering formed on at least the lower surfaces of the right and left foot members; and
  - an electrode on the upper surface of the right foot member; and
  - an electrode on the upper surface of the left foot member;wherein the electrodes are energizable to thermally cut or coagulate tissue located above the open space located between the right and left foot members without causing substantial thermal cutting and/or coagulation of tissue located below the lower surfaces of the right and left foot members.
- 2-5 (Cancelled)
6. (Previously Presented) A device according to Claim 1 in combination with an electrosurgical generator for energizing the electrodes.
7. (Previously Presented) A device according to Claim 1 wherein a bifurcated member extends from the distal end of the elongate member and wherein the right foot member comprises a right furcation of the bifurcated member and the left foot member comprises a left furcation of the bifurcated member.

8. (Previously Presented) A device according to Claim 1 wherein the electrically and thermally insulating covering is formed on the upper and lower surfaces of the right and left foot members and wherein the electrodes are located on top of the electrically and thermally insulating covering.
9. (Original) A device according to Claim 1 further comprising at least one lumen useable for infusion of fluid or matter and/or aspiration of fluid or matter.
10. (Original) A device according to Claim 9 wherein the device comprises first and second lumens such that fluid or matter may be infused through one lumen while fluid or matter is aspirated through the other lumen.
11. (Original) A device according to Claim 1 wherein the insulating covering comprises a coating.
12. (Original) A device according to Claim 1 wherein the insulating covering comprises a polymer coating.
13. (Original) A device according to Claim 12 wherein the polymer coating comprises a polyimide coating.
14. (Previously Presented) A device according to Claim 1 wherein the covering comprises a coating that has been applied by a coating method selected from the group consisting of:
  - single layer dip coating
  - multi layer dip coating
  - painting
  - powder (electro statically)
  - vapor deposition.
15. (Original) A device according to Claim 1 further comprising a handpiece from which the elongate member extends.

16. (Original) A device according to Claim 15 wherein the elongate member is releasably attached to the handpiece.

17. (Previously Presented) A device according to Claim 16 wherein the elongate member is disposable and the handpiece is reusable.

18. (Original) A device according to Claim 15 wherein the elongate member is permanently attached to or integrally formed with the handpiece.

19. (Original) A device according to Claim 18 wherein the handpiece and elongate member are autoclavable.

20. (Previously Presented) A system comprising a device according to Claim 1 in combination with a cannula through which the device is insertable.

21. (Presently Amended) A device according to Claim 20 <sup>[[1]]</sup> wherein the cannula comprises a rigid cannula.

22. (Presently Amended) A device according to Claim 20 <sup>[[1]]</sup> wherein the cannula comprises a flexible catheter or percutaneously insertable catheter.

23. (Previously Presented) A system comprising a device according to Claim 1 in combination with an endoscope that is useable to view the positioning of the device within the body of a human or animal subject.

24. (Original) A device according to Claim 23 wherein the endoscopic device is selected from the group consisting of:

gastrointestinal endoscopes;

dental endoscopes;

sigmoidoscopes;

colonoscopes;  
laparoscopes;  
thorascopes;  
cystoscopes; and  
arthroscopes.

25. (Presently Amended) A method for selective electrosurgical cutting or coagulation of tissue, said method comprising the steps of:

- A) inserting a device which comprises;
  - an elongate member having a distal end;
  - a right foot member having an upper surface and a lower surface and a left foot member having an upper surface and a lower surface, the right and left foot members extending angularly from the distal end of the elongate member and to one side of the elongate member such that an open space exists between the right and left foot members;
  - an electrode on the upper surface of the right foot member;
  - an electrode on the upper surface of the left foot member; and
  - an electrically and thermally insulating covering formed on at least the lower surfaces of the right and left foot members;
- B) positioning the device such that a mass of tissue that is to be cut or coagulated protrudes into an area located above the open space between the right and left foot; and
- C) energizing the electrodes to thermally cut or coagulate the mass of tissue above the open space located between the right and left foot members without causing substantial thermal cutting and/or coagulation of tissue located below the lower surfaces of the right and left foot.

26. (Cancelled)

27. (Previously Presented) A method according to Claim 25 wherein the device inserted in Step A comprises a bifurcated member that extends from the distal end of the elongate member, wherein the right foot member comprises a right furcation of the bifurcated member and the left foot member comprises a left furcation of the bifurcated member and

wherein the device is positioned in Step B such that the mass of tissue protrudes upwardly through and above an open space between the right and left furcations of the bifurcated member.

28. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a tumor.
29. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a blood vessel.
30. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises an adhesion.
31. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a gastrointestinal polyp, tumor or other growth that protrudes from a wall of the colon, small intestine, duodenum, stomach, esophagus, oropharynx or oral cavity.
32. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a retinal blood vessel.
33. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises an epiretinal membrane.
34. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises gingival tissue.
35. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a dermatological lesion.
36. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises neurological tissue or abnormal tissue that is attached to neurological tissue.

37. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises a nodule or other growth on a vocal chord.
38. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises pericardium, endocardium or cardiac tissue.
39. (Previously Presented) A method according to Claim 25 wherein the mass of tissue comprises cartilage, tendon or ligament.
40. (Previously Presented) A method according to Claim 25 wherein the device is inserted through a channel of an endoscopic device.